

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

Timothy S. Lack

Case Number:

16-1017-JPG

(Clerk's Office will provide)

Plaintiff/Petitioner(s)

Alton Police Department
Madison County Sheriff

Defendant/Respondent(s)

☒ CIVIL RIGHTS COMPLAINT

pursuant to 42 U.S.C. §1983 (State Prisoner)

☐ CIVIL RIGHTS COMPLAINT

pursuant to 28 U.S.C. §1331 (Federal Prisoner)

☐ CIVIL COMPLAINT

pursuant to the Federal Tort Claims Act,

28 U.S.C. §§1346, 2671-2680, or other law

I. JURISDICTION

Plaintiff:

A. Plaintiff's mailing address, register number, and present place of confinement

Timothy S. Lack 505193
Danville C.C.
3820 E. Main St.
Defendant #1: Danville IL 61834B. Defendant: Alton Police Department is employed as

(a) (Name of First Defendant)

(b) (Position/Title)

with 1700 E. Broadway

(c) (Employer's Name and Address)

Alton, IL 62002At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☐ NoIf your answer is YES, briefly explain: Alton City Police
department Alton IL

Defendant #2:

C. Defendant Robert Hertz is employed as

(Name of Second Defendant)

(Position/Title)

with 157 N Main St Suite 402

(Employer's Name and Address)

Edwardsville IL 62025

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain: Madison County Sheriff
Edwardsville, IL

Additional Defendant(s) (if any):

D. Using the outline set forth above, identify any additional Defendant(s).

II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment? ☐ Yes ☒ ~~NO~~

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline. Failure to comply with this provision may result in summary denial of your complaint.

1. Parties to previous lawsuits:
Plaintiff(s):

Defendant(s):

2. Court (if federal court, name of the district; if state court, name of the county):

3. Docket number:

4. Name of Judge to whom case was assigned:

5. Type of case (for example: Was it a habeas corpus or civil rights action?):

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?):

7. Approximate date of filing lawsuit

8. Approximate date of disposition:

III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution? ☐ Yes ☒ No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? ☐ Yes ☐ No

C. If your answer is YES,
1. What steps did you take?

2. What was the result?

D. If your answer is NO, explain why not.

No grievance procedure available at Madison County Jail

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? ☒ Yes ☐ No

F. If your answer is YES,
1. What steps did you take?

Told them about issues and sent request slips.

2. What was the result?

No physical, told me I was old as if it was a joke. nurse implied didn't address all problems

G. If your answer is NO, explain why not.

H. Attach copies of your request for an administrative remedy and any response you received. If you cannot do so, explain why not:

Not available to make copies of request slips at Jail but have 2 out of 3 of them sent from Jail to Danville C.C.

On April 21st Alton P.d. arrived at my home of 3233 Theresa St. Alton IL. I had a warrant of criminal trespass and domestic for my arrest. Alton P.d. Knocked at my door 2-3 times. I didn't answer. They didn't say they was kicking door in. They did. I had hands up was seated. They released K-9 dog. The dog attacked me while seated. Bit me on left outer calf, left inner thigh close to privates. I have many scars. K-9 dog attached to me. I was half on couch and floor. K-9 officer tazed me in chest instead of grabbing me and cuffing me. Two or three officers started striking me in face, head, neck, back, kicking me, stomped me, stomped left elbow right hand, left ankle. I had no guns, drugs ect. to explain this type of force. Didn't get up to run or fight or anything of that nature. I heard one of them state 'N that they got me alone this time. They was at my house in March on domestic charge. This was approximately noon on 21st. They struck me so much they knocked me out for period of time. I have had

left eye issues, bad pain in left elbow and hand to this day. Rt collar bone area and neck ~~been~~ in pain. They cracked numerous bones I believe. Numbness in upper legs from knee to hips and in lower back, plus pain. I've had black out spells, dizziness, headaches, lazy eye feelings. From April 21st to end of June it was really bad. July to present is little better but still have issues with legs, back, eye, discomfort in elbow, hand, neck and collar bone area. I told nurses at Madison County about problems I was having. They only addressed dog bites and X ray on elbow and hand and said I was getting old. Alton P.d. rushed me in and out of ~~the~~ Alton Memorial hospital. I don't think they were aware of all injuries. I had knots on head, black eye that you could tell I took head shots. They transferred me to Doc on warrants on May 12th 2016.

V. REQUEST FOR RELIEF

State exactly what you want this court to do for you. If you are a state or federal prisoner and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records, or parole), you must file your claim on a habeas corpus form, pursuant to 28 U.S.C. §§ 2241, 2254, or 2255. Copies of these forms are available from the clerk's office.

\$100,000 plus all medical issues
Covered

VI. JURY DEMAND (check one box below)

The plaintiff ☒ does ☐ does not request a trial by jury.

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: Sept 7, 2016
(date)

3820 East Main St
Street Address

Danville IL 61834
City, State, Zip

Timothy S. Laek
Signature of Plaintiff

Timothy S. Laek
Printed Name

805193
Prisoner Register Number

Signature of Attorney (if any)